IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

WRIT PETITION NO. 1981 OF 2006

The Sai Shraddha Co-op.Hsg.Society Ltd., and others. ..Petitioners.

V/s.

Jamal Sabir Shaikh & Others ..Respondents.

Mr. Rajesh M. Yadav for the Petitioners.

Mr. G.K. Karkara for the Respondent No. 1.

CORAM : S. B. MHASE, J.

DATED : 24TH MARCH, 2006.

P.C.:

1. Heard both sides. Rule returnable forthwith.

2. The order dated 24.12.2004 passed by the Divisional Joint Registrar, Co-op. Societies, M.D. Mumbai in a Revision Application No. 616/2004 is under challenge.

3. The respondents have filed the said revision, challenging the order passed by the Dy. Registrar, Co-operative Societies dated 1st November, 2004, pertaining to no confidence motion. In the said revision petition, an interim application was submitted for a stay of the said order. While disposing of the

said application, the Additional Joint Registrar passed following order :-

> "Revision Application is allowed. Status-quo to be maintained prior to 1.11.2004.
>
> Rule returnable on 10.2.2005 at 3.00 p.m."

This order is challenged by the petitioners. So far as the order of status-quo during the pendency of the revision petition is concerned, the petitioners have no objection. The objection of the petitioner is that at the interim stage the revision application is allowed. The learned counsel for the respondents fairly submits that it is a mistake on the part of the Divisional Joint Registrar and he has no objection to correct it.

4. In view of the concession given by the learned counsel for the respondents and taking into consideration the submissions of the petitioner, I partly allow the petition.

5. The order dated 24.12.2004 is modified. Status-quo to be maintained prior to 01.11.2004. The words "Revision Application is allowed" is hereby

quashed and set aside.

6. The Registrar is directed to dispose of the matter/ revision application after giving an opportunity of hearing to both sides within a period of four weeks from today.

24.03.2006 (S.B.MHASE,J)

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